

ASSIGNED

AMENDED

Serial No. 33232

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 19 1977

Returned to applicant for correction

Corrected application filed SEP 7 1977 Map filed SEP 7 1977

The applicant FRED FULSTONE, JR.

Box 12 of Smith
Street and No. or P.O. Box No. City or Town

Nevada 89430, hereby make S. application for permission to change the
State and Zip Code No.

The place of use of a Portion

of water heretofore appropriated under Application for permit No. 26730

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground
Name of stream, lake or other source.
- The amount of water to be changed 3.0 C.F.S 10/24/77
Second feet, acre feet.
- The water to be used for Irrigation and domestic
If for stock state number and kind of animals.
- The water heretofore used for Irrigation and domestic
If for stock state number and kind of animals.
- The water is to be diverted at the following point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ section 8, T.10N.,
R.24E., M.D.B.&M., from which the north west corner of section 5,
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
T.10N., R.24E., M.D.B.&M bears N. 5° 32' W., 8664.50 feet.
stated.
- The existing point of diversion is located within Same

If point of diversion is not changed, do not answer.

- Proposed place of use SE $\frac{1}{4}$ Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, and portions of SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
and SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 8, T.10N., R.24E., M.D.B.&M. (365 Acres)

- Existing place of use NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and a portion of NE $\frac{1}{4}$ SE $\frac{1}{4}$, section
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
6; and S $\frac{1}{2}$ SW $\frac{1}{4}$ section 5; T.10N., R.24E., M.D.B.&M. (353 Acres)

- Use will be from January 1st. to December 31st. of each year.
Day and Month Day and Month
- Use has been from January 1st. to December 31st. of each year.
Day and Month Day and Month

- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Pipeline, booster pump, ditches,
State manner in which water is to be diverted, whether by dam or other works,
cement boxes and pipes.
whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works.....\$17,000.00
- 13. Estimated time required to construct works.....3 years
- 14. Estimated time required to complete the application of water to beneficial use.....5 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared bc/ga bl/bc Applicant Fred Fulstone, Jr.
By s/Walter G. Reid
P.O. Box 474
Virginia City, Nevada 89440
APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 26730 is issued subject to the terms and conditions imposed in said Permit 26730 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.
The place of use under this permit is limited to a total of 353 acres.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....3.0.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....August 9, 1978

Proof of commencement of work shall be filed before.....September 9, 1978

Work must be prosecuted with reasonable diligence and be completed on or before.....August 9, 1978

Proof of completion of work shall be filed before.....September 9, 1978

Application of water to beneficial use shall be made on or before.....April 5, 1979

Proof of the application of water to beneficial use shall be filed on or before.....May 5, 1979

Map in support of proof of beneficial use shall be filed on or before.....May 5, 1979

Commencement of work filed.....NOV 9 1978
Completion of work filed.....NOV 9 1978
Proof of beneficial use filed.....JUN 29 1979
Cultural map filed.....JUN 29 1979
Certificate No. 9841 Issued FEB 19 1982
Recorded.....Bk 33 Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of JUNE, A.D. 1978.

Roland D. Westergard
State Engineer